



Measure L Advisory Committee
1st Floor City Council Conference Room Area ‘B’
Tuesday, August 14, 2012

MINUTES

COMMITTEE MEMBERS

George ‘Andy’ Anderson, Lance ‘Scott’ Garver,
Michael Petersen, Phil Salvatore, Eddie Thomas

Regular Meeting – 5:00 p.m.

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

CALL TO ORDER

ROLL CALL

Members Present: Eddie Thomas; Michael Peterson; George ‘Andy’ Anderson; Lance ‘Scott’ Garver; Phil Salvatore

Members Absent: None

Staff Present: City Manager Kurt Wilson; City Clerk Rachel Ford; City Attorney (via Teleconference); Director of Administrative Services Tyrell Staheli; and other staff

ELECTION OF CHAIR AND VICE CHAIRMAN & TERM LIMITS

- City Clerk conducted nominations of members to select chairperson.
- Nominated for chairperson: Eddie Thomas
- ‘Andy’ Anderson – suggest term be one year as there are some members who only have a one year appointment.
- Michael Peterson – agrees with one-year terms to allow fair opportunity for everyone.
- No public comments were presented

Motion To Set The Term Of Office For The Chair And Vice Chair At One Year Made By ‘Andy’ Anderson, Second By Phil Salvatore. Motion Carried By Voice Vote Of 5 Ayes; 0 No; 0 Abstain; And 0 Absent

Motion To Approve Eddie Thomas As Chairperson Of The Measure ‘L’ Citizens Advisory Committee Made By Phil Salvatore, Second By Andy Anderson. Motion Carried By Voice Vote Of 4 Ayes; 1 No (‘Andy’ Anderson); 0 Abstain, And 0 Absent.

- City Clerk conducted nominations of members to select Vice-chair.
- Nominated for Vice-chair: Phil Salvatore

Motion To Approve Phil Salvatore As Vice-Chair Of The Measure ‘L’ Citizens Advisory Committee Made By ‘Andy’ Anderson, Second By Scott Garver. Motion Carried By Voice Vote Of 5 Ayes; 0 No; 0 Abstain, And 0 Absent.

APPROVAL OF AGENDA

Kurt Wilson requested order be moved to allow attorney to mediate the brown act presentation.

Motion To Approve Agenda As Amended Made By Michael Peterson, Second By Scott Garver. Motion Carried By Roll Call Vote Of 5 Ayes; 0 No; 0 Abstain, And 0 Absent.

Keith Lemieux

- gave presentation overview of the Brown Act Presentation via teleconference
- Notes presented to committee members and public.
- gave brief presentation of Roberts Rules of Order for presenting a motion.

Andy Anderson

- questioned the procedure for placing items on the agenda.
- questioned documents being distributed to the public and Public Records Act.
- Asked if members of the board were allowed to ask questions of the council members in attendance.

Eddie Thomas

- questioned best method to receive information.
 - can receive information from staff but refrain from discussing the information with each other until the meeting.

Scott Garver

- asked about remedies for brown act violations.
 - action taken without following the Brown Act would need to be done again.

Phil Salvatore

- public right to view email of members.
 - any materials developed for the committee are public record, set up separate email account, and keep documents separate from personal business.

Tom Wiknich

- assuming a quorum of council attends the meeting, can they speak at the meeting.
 - yes during public comments. Do not develop a consensus on a topic.

Randy Jenkins

- asked if brown act is not enforceable, where is it going
 - do not know at this point, may want to talk to state legislator.

APPROVAL OF MINUTES – August 7, 2012

Moved to next meeting.

PUBLIC COMMENT

Sam Ramirez

- City Manager of Delano called in to give overview of their sales tax measure and oversight committee.
- Been in effect for 4 years and bring in around \$3-\$4 million quarterly with a 10 year sunset clause.
- Oversight committee formed thru application process and meets annually as an independent committee.
- Committee receives information on how the funds are expended.
- Annual independent audit conducted.
- Meet at beginning of year with council to discuss how the funds will be used.
- Council considers input when developing the budget.
- Committee receives annual report showing expenditures and then report is published for public.

Andy Anderson

- questioned population and generated revenues.

Phil Salvatore

- questioned if they had had a dispute about expenditures and how was it resolved.
 - audit clearly shows what was brought in and how it was spent.

Scott Garver

- asked if their sales tax was pitched for specific purposes
 - have had issues and questions with purposes stated during campaign versus what actual usage has been. Hard to keep these dollars for specific purposes because is for general fund. Suggested annual meeting to outline projected purposes based on community input. Do not know how it was sold 4 years ago but reality is funds are general fund and not specific. Council can be held accountable by defining community requests.

Andy Anderson

- cannot see having a problem because Ridgecrest sales tax had specific outlined uses.

Howard Auld

- asked if committee plans to follow the same routine as Delano, will there be an agenda this committee gets part of the budget. I see making recommendation within the categories on how the funds will be spent.

Andy Anderson

- do not believe the committee has the authority to make the expenditures and hopes this committee will meet more frequently to review expenditures monthly or quarterly to ensure the monies are being spent the way they were voted.

Phil Salvatore

- understanding is to watch over council to make sure expenditures are appropriate.

Andy Anderson

- can make recommendations to council but they are under no obligation to follow those recommendations.

Scott Garver

- asked Kurt Wilson of role council will have for disclosure.
 - will answer questions but do not want to steer committee any specific direction.

Tyrell Staheli

- presented spreadsheet for tracking of the funds. Staff can prepare reports depending on how specific but may be difficult to do monthly but could do less frequently.

Mike Neel

- holding council and staff to be honest, they were careful in using the attorney to construct the language to be legal but leaving it open for any general fund expenditure. Committee does not have authority to ensure expenditures. Presented heavily on police and roads, but not held to spend the funds in that way. Other City services mean anything they want to spend the money.

Phil Salvatore

- specified tax requires a 2/3 vote so council chose a general, which does not require that vote. This committee is designed to hold the council accountable.

Eddie Thomas

- Sam Ramirez shared a tool with us that we may want to utilize; an independent audit is a good tool we should look at. Believe this committee has power of the people behind us to make sure the funds are being utilized appropriately.

Tom Wiknich

- recommended board decides when to report to council, a formal policy.

Mike Neel

- compared Delano funds to what Ridgecrest anticipate receiving.

Gary parsons

- commented on market area for Delano vs. Ridgecrest.

Andy Anderson

- can set up interval of official report to public, but also will be attending council and if sees council going off course will state so in the meetings. Feel this committee will be effective.

Barbara auld

- noted a recent shift of projected funds from parks to other areas.

Andy Anderson

- current obligation is only \$300k, recapped officers grant match and at-risk youth officer. Borrowed funds from the reserve to pay for recruitment and academy and training which will be reimbursed by measure 'I' funds.

Ron Strand

- reviewed the measure 'L' allocations made to the police department to date.

Rebecca Neipp

- clarified matching funds for COPS grant.

Chip Holloway

- lawyers carefully constructed language to prevent having to go to the 2/3 vote as a specific tax.

DISCUSSION AND OTHER ACTION ITEMS

1. Appointment Of Committee Member As Secretary

- Michael Peterson volunteered to serve as the committee secretary.

Motion To Approve Michael Peterson As Secretary Made By Andy Anderson, Second By Phil Salvatore. Motion Carried By Vote Of 5 Ayes; 0 No; 0 Abstain, And 0 Absent.

2. Letter Presented By M. Neel

- Discussion of letter presented to members at the meeting of August 7, 2012 moved to next meeting.

3. Overview Of City Budget And Context Of Measure L Usage

- Staff report presented by Tyrell Staheli.

Randy Jenkins

- spoke on keeping what has been promised, council has moral obligation to stay with what was promised. Gave suggestions of what police can do with additional funding and increase to violent crimes. Suggested allocate remaining reserves to both streets and police

Phil Salvatore

- questioned conservative amounts

Ron strand

- estimates from finance for a 9-month collection period. If earnings were higher than anticipated then allocations would be adjusted.

Andy Anderson

- reserve is a buffer. We should anticipate that funds are not at the level that was originally projected.

Stan Rajtora

- spoke on the general fund reserve for a City the size of Ridgecrest. Genuine concern the measure ‘l’ reserve could disappear if committee does not track closely.

Michael Peterson

- City is legally obligated to expend funds in-line with the budget. If there were additional funds received, they would be obligated to track.
- Committee should track what is in the budget and not be ruled by opinions; stay focused on the budget and council decisions.
- Will monitor regularly.
- Funds go to Sacramento before coming back to Ridgecrest so there will be delays.
- Asked how much the general fund reserve was supposed to be. Does not want general fund reserve to be entirely made of unspent measure ‘I’ funding.

Andy Anderson

- as the money, flow is tracked, and then the reserve could be reduced.

Mike Neel

- keep in mind that reserves can be borrowed and committee should continue to monitor.

Tom Wiknich

- committee has tough job, and the original police budget should be the same with these funds added, not have other funds removed and measure ‘I’ funds used to make up the difference.

4. Receive Instructional Presentation About Ralph M. Brown Act

Moved to beginning of meeting.

5. Future Meeting Date and Time – Revisit topic

Scott Garver

- appreciate Delano input however do not feel we can compare our obligations to theirs as the measures were pitched differently. Measure ‘I’ funds were morally marked for safety and roads. Feel this committee should meet more frequently than once or twice a year.

Phil Salvatore

- will meet frequently until we reach the point of understanding where we are and the processes

Michael Peterson

- noted not to overlap the meetings with other committee meetings. Members of committee and public would like to attend those meetings.

Gary parson

- funds will not be received for some time and allocations have already been established.

Stan Rajtora

- funds are borrowed annually at the beginning of the year and reimbursed when the revenues are received.

Phil Salvatore

- suggested meeting on flex Friday's

Several members of the committee could not attend on Flex Friday, it was suggested meetings be held on Mondays, biweekly beginning 5:30pm, next meeting date is august 27.

ADVISORY MEMBER COMMENTS

- Scott Garver – agree with discussion of informal format for next few meeting until public position is ascertained. Public forums on line and in print represent some concerns but would like public comment portion expanded as helpful and informal. Moved Mr. Neel's letter to next meeting but need to get public perception of our role.
- Michael Peterson – good idea to keep discussions open and make it clear between action items when moving on to other items. Focus on facts of the budget and what the plan and obligations already are and for FY2013. Recommend members study the budget.
- Phil Salvatore – agrees with Petersons comments and suggests all members begin a new email account.
- 'Andy' Anderson – agree, would like to see budget reviewed entirely so we understand and get a feel of measure 'l' allocations. Know what was there before and look at the additions from measure 'l'. next year will have hard time separating that revenue. Need both amounts, before and after. Should know funding amounts included in each department budget.
- Eddie Thomas – unique opportunity and important to allow public input. Believe we can resolve some of the issues and help strengthen the trust of the public. Some people will always have questions but committee should show we have a bite and council will have to pay attention.

SUPPORT STAFF COMMENTS

ADJOURNMENT at 7:03pm